

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY AND AMES MUNICIPAL ELECTRIC SYSTEM	DOCKET NO. FCU-2018-0007 (C-2018-0478)
---	---

RECUSAL STATEMENT

Board Member Joshua Byrnes states as follows:

1. I was appointed to the Iowa Utilities Board (Board) on November 30, 2020, to fill a six-year term expiring on April 30, 2025.
2. Prior to my service on the Board, I served on the Board of Directors of the Iowa Association of Municipal Utilities (IAMU), an intervenor in this contested case proceeding, at the time such intervention occurred and during the ongoing proceeding.
3. Pursuant to Iowa Code of Judicial Conduct Rule 51:2.11(A)(1), a judge shall disqualify himself or herself from a proceeding if the impartiality of the judge may reasonably be questioned due to the judge having personal knowledge of facts that are in dispute in a proceeding.
4. On October 14, 2021, the United States Department of Agriculture filed in this docket a document entitled *United States Department of Agriculture's Request Concerning Recusal*, which raises the question of whether my past service on the IAMU Board of Directors may cause my impartiality to be reasonably questioned as contemplated in Rule 51:2.11(A)(1) of the Iowa Code of Judicial Conduct.

DOCKET NO. E-22464

PAGE 2

5. While I do not recall an instance in which I, as a member of the IAMU Board of Directors, participated in any vote in regard to actions to be taken by counsel of IAMU in this contested case or otherwise provided direction to such counsel, I acknowledge that such service on the IAMU Board during the applicable time period could cause the participants in this docket to reasonably question my impartiality with regard to the issues pending in this docket.

6. Therefore, I hereby provide notice that I am recusing myself from this matter. I will not participate personally or substantially in any way in this matter, including but not limited to discussing the matter with agency staff or other Board members; attending any closed session meetings relating to the matter; participating, voting, or commenting in open session meetings related to the matter; and reviewing any files or documents relating to the matter prior to the posting of the documents to the Board's electronic filing system.

7. By this statement, I am directing Board staff to ensure that I am screened from any information or communications relating to this docket.

8. This recusal will remain in effect until a decision has been rendered on the issues currently pending before the Iowa Utilities Board in Docket No. FCU-2018-0007 and all opportunities for further review have been exhausted.

Joshua J Byrnes Date: 2021.10.25
14:39:46 -05'00'

ATTEST:

Louis Vander
Streek

Louis Vander Streek
2021.10.25 16:56:12
-05'00'

Dated at Des Moines, Iowa, this 25th day of October, 2021.